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		Application Number	10/552,154-Conf. #9213
TRANSMITTAL		Filing Date	October 11, 2005
FORM		First Named Inventor	Hiromu Ueshima
(to be used for all correspondence after initial filing)		Art Unit	2153
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submiss	sion	Attorney Docket Number	o4995/240001
EN	ICLOSURES	(Check all that app	ly)
x Fee Transmittal Form	Drawing(s)		After Allowance Communication to TC
x Fee Attached	Licensing-rel	ated Papers	Appeal Communication to Board of Appeals and Interferences
Amendment/Reply	x Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
After Final	Petition to Co		Proprietary Information
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address		Status Letter
Extension of Time Request	Terminal Dise	claimer	X Other Enclosure(s) (please Identify below):
Express Abandonment Request	Request for	Refund	Statement Pursuant to 37 C.F.R. Section 1.497 (1 page)
Information Disclosure Statement	CD, Number	of CD(s)	Consent of Assignee (1 page) Statement Under 37 CFR 3.73(b) (1 page)
Certified Copy of Priority Document(s)	Landso	ape Table on CD	Declaration and Power of Attorney (3 pages)
Reply to Missing Parts/	Remarks	· · ·	
Incomplete Application Reply to Missing Parts under			
37 CFR 1.52 or 1.53			
F:	JRE OF APPLICA	ANT, ATTORNEY, OR	AGENT
OSHA · LIANG LLP			
Originature ————————————————————————————————————	#45,079		

THOMAS SCHERER

Reg. No.

33,986

167425

Printed name

Date

Jonathan P. Osha

August 15, 2006

PTO/SB/17i (07-06)
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# PROCESSING FEE **Under 37 CFR 1.17(i) TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Application Number	10/552,154-Conf. #9213
Filing Date	October 11, 2005
First Named Inventor	Hiromu Ueshima
Art Unit	2153
Examiner Name	Not Yet Assigned
Attorney Docket Number	04995/240001

	4 407(-1)	4b-4
Enclosed is a paper filed under 37 CFR Payment of \$ 130,00 is enclosed.	1.497(d)	that requires a processing fee (37 CFR 1.17(i)).
	ned paper and fa 37 CFR 1.17(f), (g	axed or mailed to the Office using the appropriate Mail Stop, g) or (h), see form PTO/SB/17p.
Payment of Fees (small entity amounts are NO	OT available for t	he processing fees)
The Commissioner is hereby authorized to processing fee under 37 CFR 1  Enclose a duplicative copy of this form fo	.17(i) X	any deficiency of fees and credit of any overpayments
Check in the amount of \$	is e	nclosed.
X Payment by credit card (Form PTO-2038 c	or equivalent en	closed). Do not provide credit card information on this form.
Processing Fees under 37 CFR 1.17(i): Fee \$		e Code 1808 for all, cept for §1.221 papers (Fee Code 1803)
For papers filed under:		
by §1.63, except in provisional applications § 1.48 – for correcting inventorship, except in provision § 1.52(d) – for processing a nonprovisional application § 1.53(b)(3) – to convert a provisional application filed § 1.55 – for entry of late priority papers. § 1.71(g)(2) – to enter an amendment to the specificati § 1.99(e) – for processing a belated submission under § 1.103(b) – for requesting limited suspension of action § 1.103(d) – for requesting limited suspension of action § 1.103(d) – for requesting deferred examination of an § 1.217 – for processing a redacted copy of a paper suthe patent application publication. § 1.221 – for requesting voluntary publication or repub § 1.291(c)(5) – for processing a second or subsequent	tor or inventors after s.  al applications.  filed with a specification of the second	cation in a language other than English. o a nonprovisional application under §1.53(b).  35 U.S.C. 103(c)(2) if not filed within the cited time periods cution application (§ 1.53(d)).  sued examination (§ 1.114). of an application in which a redacted copy was submitted for cation. Fee Code 1803 se real party in interest. (4) naming an inventive entity different from the inventive
_ #45,	079	August 15, 2006
Signature THE	omas sche	Date
Jonathan P. Osha		33,986
Øyped or printed name		Registration No., if applicable



Application No. (if known): 10/552,154

Attorney Docket No.: 04995/240001

# **Certificate of Express Mailing Under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV804214555US in an envelope addressed to:

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on	August 15, 2006	
	Date	

Brends C Mc Fadler		
Signature		
Brenda C. McFad	den	
Typed or printed name of person	signing Certificate	
	(713) 228-8600	
Registration Number, if applicable	Telephone Number	

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page) Transmittal (1 page)

Petition to Correct Inventorship Under 37 C.F.R. Section 1.497(d) (2

pages)

Statement Pursuant to 37 C.F.R. Section 1.497 (1 page)

Consent of Assignee (1 page)

Statement Under 37 CFR 3.73(b) (1 page) Declaration and Power of Attorney (3 pages) Copy of Executed Assignment (3 pages)

Payment by credit card. PTO Form 2038 attached (1 page)

Charge \$130.00 to credit card

Application No.: 10/552,154 Docket No.: 04995/240001

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hiromu Ueshima et al.

Application No.: 10/552,154

Confirmation No.: 9213

Filed: October 11, 2005

Art Unit: 2153

For: DATA DELIVERING SYSTEM, DATA

ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM

Examiner: Not Yet Assigned

#### PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.497(d)

MS PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The oath and declaration filed pursuant to 35 U.S.C. 371(c)(4) for the referenced application names an inventive entity different from the inventive entity set forth in International Application PCT/JP2004/009763 (hereafter "International Application"), from which the referenced application is based. Specifically, Katsuya Nakagawa was not named as a joint inventor in the International Application.

In view of the above, the Applicants respectfully petition to correct the inventorship of the referenced application. Pursuant to 37 C.F.R. §1.497(d), the Applicants have enclosed the fee pursuant to 37 C.F.R. §1.17(i) and the following documents:

- (1) A statement from Katsuya Nakagawa that any error in inventorship in the International Application occurred without deceptive intention on his part;
- (2) The written consent of the assignee; and
- (3) A new oath and declaration signed by Hiromu Ueshima and Katsuya Nakagawa.

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Application No.: 10/552,154 Docket No.: 04995/240001

Applicants believe that the aforementioned documents and fee fully comply with the requirements setout in 37 C.F.R. §1.497(d) to correct inventorship of the referenced application. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. In addition, please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 004995/240001).

Dated: August 15, 2006

Respectfully submitted,

Jonathan P. Osha

Ionathan P. Osha

Registration No.: 33,986 OSHA · LIANG LLP

1221 McKinney St., Suite 2800

Houston, Texas 77010

(713) 228-8600

(713) 228-8778 (Fax)

Application No.: 10/552,154

Docket No.: 04995/240001

Date: July 24, 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hiromu Ueshima et al.

Application No.: 10/552,154

Confirmation No.: 9213

Filed: October 11, 2005

Art Unit: 2153

For: DATA DELIVERING SYSTEM, DATA

ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM

Examiner: Not Yet Assigned

## STATEMENT PURSUANT TO 37 C.F.R. § 1.497

Dear Sir:

AUG 1 5 2006

I, the below named inventor whose full residence, post office address, and citizenship are stated next to my name, hereby state that I am an original and joint inventor of the aforementioned International Application PCT/JP2004/009763, upon which the referenced application is based. I was not named as an inventor in International Application PCT/JP2004/009763, from which the referenced application is based. The aforementioned error in inventorship was made without deceptive intent.

Full Name of Inventor: Katsuya Nakagawa

Residence: Shiga, Japan

Citizenship: Japan

Post Office Address: c/o SSD Company Limited 3-3-4 Higashiyagura, Kusatsu-city

Shiga Japan 525-0054

#### **CONSENT OF ASSIGNEE**

The undersigned assignee of the entire interest in the above-identified application hereby assents to the accompanying statement for correction of inventorship. The assignment of the undivided interest in the above-identified application to the undersigned assignee was executed on August 8, 2005, and filed with the referenced application on October 11, 2005. A copy of the executed assignment, as filed, is attached.

SSD Company Limited

Date: July 24, 2006

Name: Katsuya NAKAGAWA

Title: President

Enclosure (Copy of the Executed Assignment)



# Osha · Liang

## **ASSIGNMENT**

譲渡証

本証末尾に署名した者(以下、「発明者」という) は、適正・相当な対価を受領しており、それが十分な 対価であることを認識した上で、

(氏名または組織名)

(住所)

(以下「会社」という)と、その承継人および譲受人 に対して、

(発明の名称)

という名称で知られ、アメリカ合衆国において末尾署名者が特許申請をした発明(以下、「発明」という)にかかるアメリカ合衆国(その属領、支配地を含むがこれに限らない)におけるすべての権利、権原および利権を、当該特許申請、その分割、継続、一部継続、再発行及び延長、並びに、それらに対して与えられる全ての米国特許証とともに譲渡する。かかる利権とは、「会社」、その承継人、譲受人、またはそれらの法的代理人の上記申請に対する、及び、特許証が与えられたときはそれに対する、本譲渡が行われなかった場合に「発明者」に対して特許証が与えられ、また延長されることにより享受しうると同一の期間にわたる完全な所有権を意味する。

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned individual(s) (referred to herein as "INVENTOR(S)") hereby assign, transfer and set over to:

#### SSD COMPANY LIMITED

having the following address:

3·3·4, Higashiyagura, Kusatsu·city, Shiga, 525·0054, Japan

(referred to herein as "COMPANY"), its successors and assigns, the entire right, title, and interest for the United States of America (including without limitation its territories and possessions) in and to the invention known by the following title:

DATA DELIVERING SYSTEM, DATA ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM

for which the undersigned has/have executed an application for patent in the United States of America (referred to herein as "INVENTION"), together with said patent application, all divisions, continuations, continuations in part, reissues, and extensions thereof, and all United States Letters Patent which may be granted therefor. Such interest represents the entire ownership of said applications and Letters Patent when granted and is to be owned by COMPANY, its successors, and assigns, or their legal



# Osha · Liang

さらに、本証末尾に署名した発明者は、それぞれ、以下のとおり同意する。

- 1. 発明」に関するアメリカ合衆国における特許申請の出願に関して、更に必要な又は望ましく、適法かつ適切な書類に署名、執行すること。これには、上記申請及びそれらの分割、継続、一部継続、修正を全て含み、更に、それらに関するインターフェアレンス手続、その他「会社」が権限を保持するために必要もしくは望ましいものが含まれるが、その限りではない。
- 2. 工業所有権の保護に関する国際条約またはそれに類する条約や協定の下で優先権の主張その他のために必要な、書面、書類の執行及び合法的行為を遂行すること。
- 3. 有効かつ強制力のある特許を「会社」が得るために必要なあらゆる合法かつ積極的な行為をすること。

本証末尾に署名した「発明者」は、それぞれ、アメリカ合衆国特許商標庁長官に対して、当該特許申請 (それに基づくすべての分割、継続、一部継続、再発行申請を含むがそれに限らない)から生じるすべての特許証を「会社」に対して発行するよう授権 し、かつ、請願する。

本証末尾に署名した「発明者」は、それぞれ、本証の登記にあたりアメリカ合衆国特許商標庁の規則に従って必要もしくは望ましい識別情報を本譲渡証に挿入する権限をオーシャ・リャン法律事務所に授与する。

In addition, the undersigned INVENTOR(S) each hereby agrees:

- 1. To sign and execute any further documents which may be necessary or desirable, lawful and proper in connection with the prosecution of all applications for patent(s) on the INVENTION in the United States, including without limitation said application and all divisions, continuations, continuations in part, amendments thereof, and all interference proceedings associated therewith, or otherwise necessary or desirable to secure the title thereto to COMPANY;
- To execute all papers and documents and to perform all lawful acts which may be necessary in connection with claims to priority or otherwise under the International Convention for the Protection of Industrial Property or similar treaties or agreements;
- To perform all lawful affirmative acts which may be necessary to obtain the grant of a valid and enforceable patent to COMPANY;

The undersigned INVENTOR(S) each hereby authorizes and requests the Commissioner of Patents and Trademarks in the United States to issue any and all Letters Patent resulting from said application, including without limitation any division, continuation, continuation-in-part, or reissue thereof to COMPANY.

The undersigned INVENTOR(S) each hereby grants to the firm of OSHA • LIANG LLP the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the Unites States Patent and Trademark Office for the recordation of this document.



# Osha • Liang

IN

WITNESS

Assignment has been executed by each of the undersigned individuals on the date appearing by

WHEREOF,

this

以上を確認の上、下記の者が下記署名に並んで記された日に各自署名して本譲渡証を発効させた。

OM·Assn·JP.doc

		such individual's signature		
年月日	<u>(署名)</u> 氏名 (楷書):	Aug <u>ust 8, 200</u> 5	Name: Hiromu UESHIMA	
年月日	<u>(署名)</u> 氏名 (楷書):	Aug <u>ust 8, 200</u> 5 Date	Name: Katsula NAKAGAWA	
年月日	<u>(署名)</u> 氏名 (楷書):	Date	Name:	
年月日	(署名) 氏名 (楷書):	Date	Name:	
年月日	(署名) 氏名(楷書):	Date	Name:	
<del></del> 年月日	(署名) 氏名(楷書):	Date	Name:	
本譲渡証に	はアメリカ合衆国のいずれかの州の公証人また 署名する2名の証人の面前で署名されるものと	Public for one o	nt may be signed before a Notary  f the States of the United States or  esses who sign below:	
年月日	<u>(署名)</u> 氏名 (楷書):	Date	Name:	
年月日	(署名) 氏名(借書):	Date	Name:	
下記識別信 米国申請シ 申請日:	が特許申請書と同時に提出 <u>されなかった</u> 場合、 情報が <u>後に</u> 追加されるものとする。 ンリアル番号:			

PTO/SB/96 (12-05) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

#### STATEMENT UNDER 37 CFR 3.73(b) Applicant/Patent Owner: SSD Company Limited Application No./Patent 10/552,154 Filed/Issue Date: October 11, 2005 No./Control No.: DATA DELIVERING SYSTEM, DATA ACQUISITION DEVICE, WRITING DEVICE. DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM Entitled: SSD Company Limited (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) states that it is: x the assignee of the entire right, title, and interest; or an assignee of less than the entire right, title and interest. (The extent (by percentage) of its ownership interest is in the patent application/patent identified above by virtue of either: An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel , or a true copy of the original assignment is attached. OR A chain of title from the inventor(s), of the patent application/patent identified above, to the current B. assignee as follows: The document was recorded in the United States Patent and Trademark Office at , Frame , or for which a copy thereof is attached. The document was recorded in the United States Patent and Trademark Office at \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached. 3. From: To: The document was recorded in the United States Patent and Trademark Office at , Frame , or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08] The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. 2006 Katsuya NAKAGAWA President Date Telephone Number Authorized Signer for Assignee Title

# **Declaration and Power of Attorney for Patent Application**

# 特許出願宣言書及び委任状

# Japanese Language Declaration

日本語宣言書 As a below named inventor, I hereby declare that: 私は、以下に記名をれた発明者として、ここに下記の遊り宜言する: My residence, post office address, and citizenship are as stated 私の住所、郵便の宛先そして国難は、私の氏名の役に記載された絶 next to my name. りである。 下記の名称の発明について、 行許請求能圏に記載され、且つ特許が 求められている発明主題に関して、 払は、最初、 最先且つ唯一の発明 者である(唯一の氏名が記載されている場合)か、 求いは最初、 景先 且、共均視明オである (数数の氏名が記載されている場合) と思して I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled DATA DELIVERING SYSTEM, DATA ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DATA DELIVERING SYSTEM, DATA ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM DEVICE AND CONTENT DELIVERING SYSTEM the specification of which is attached hereto unless the 上記発明の明報費はここに添付されているが、下記の程がチェック されている場合は、この限りでない: following box is checked: の目に出職をれ、 x was filed on 07/02/2004 х 07/02/2004 as United States Application Number or この出版の米国出版番号またはPCT国際出版器号は、 PCT International Application Number PCT/JP2004/009763 and was amended on であり、且つ PCT/JP2004/009763 (if applicable). の口に補正をれた出版(該当する場合) I hereby state that I have reviewed and understand the contents of 払は、上記の補止異によって補法された、特許無求範囲を含む上記 財和責を検討し、且つ内容を理解していることをここに表明する。 the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material 私は、連邦規則法典第37編規則1.56に定義されている。特許 性について重要な情報を買示する表籍があることを認める。 to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

#### Japanese Language Declaration (日本設宜賞書) I hereby claim foreign priority under Title 35, United States Code 私は、ここに、以下に記載した外国での特許出頭または発明者従の 出風、或いは米国以外の少なくとも一回を指定している米国法典第3 5編第365乗(a)によるPCT国際出頭について、同第119乗(a) Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT International 付項又は第365条(の項に基づいて侵免権をも張するとともに、 優先型を主張する本出版の出版日よりも前の出版日を有する外国での 特許出版または疑問者証の出版、成いはアCT国際出版については、 application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's いかなる出版も、下記の枠内をチェックすることにより示した。 certificate, or PCT International application having a filing date before that of the application for which priority is claimed. Priority Not Claimed ||佐佐 を括なし Prior Foreign Application(s) 外国での先行出版 04 July 2003 P.2003-270850 Japan (Country) (Day/Month/Year Filed) (Number) (出質日/月/年) (書号) (成集) (Day/Month/Year Filed) (Country) (Number) (出版日/ガ/年) (項名) (24) I hereby claim the benefit under Title 35, United States Code, むは、ここに、下記のいかなる米国位特許出版についても、その米国法典第35編119条(e)項の利益を主張する。 Section 119(e) of any United States provisional application(s) listed below. (Application No.) (Filing Date) (出額日) (长度器号) (Filing Date) (Application No.) (出版日) (出風器号) I hereby claim the benefit under Title 35, United States Code, 払は、ここに、下記のいかなる米国出版についても、その米国法 実第35製第120条に基づく利益を主張し、又米区を指定するいか なるPCT国際出版についても、その同第365条(には基づく利益 を主張する。また、本出版の各特許課求の範囲の生態が、米国法典第 35製第112条第1段に規定された数様で、先行する米国出版又は PCT国際出版に関系されていない場合においては、その先行出版 Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first 出版日と本国内山原日またはPCT国際出版日との間の期間中に入手された情報で、正祥以明江奥第37編集町1.56に定義された特計 paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to 性に関わる重要な情報について関示数数があることを承認する。 patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application. (Status Patented, Pending, Abandoned) (Filing Date) (Application No.) (項別:特許許可、係基中、放棄) (出額日) (出與器分) (Status Patented, Pending, Abandoned) (Application No.) (Filing Date) (项引:特許許可、係基中。放案) (长旗器号) (出取日) I hereby declare that all statements made herein of my own 私は、ここに表明された私自身の知器に係わる競迹が真実であり、 knowledge are true and that all statements made on information 私は、ここに表明されたむ目目の知故に体わる地が川泉のでカット 見つ情報と信ずることに基づくほ送が、東宋であると借じられること を百日し、さらに、故窓に並偽の護述などを行った場合は、米国法典 第1日報第1001条に進づき、間金または拘禁、若しくはその関策 により見刻され、またそのような故窓による進島の疑述は、本川繁ま たはそれに対して発行されるいかなる対許も、その有効性に問題が生 することを取解した上で延述が行われたことを、ここに宣言する。 and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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